

01-R-1028

Entered - 12-28-00 - sb  
CL 00L0758 - ALEXIS HOLMES

CLAIM OF: **RONALD BRUCATO**  
1101 Collier Road, NW # E-3  
Atlanta, Georgia 30318

for vehicular damages alleged to have been sustained as a result of driving over sunken manholes, and double steel storm grates on November 30, 2000 at the Marietta Street and Howell Mill Road Junction.

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **RONALD BRUCATO** the sum of **\$882.99** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for vehicular damages alleged to have been sustained as a result of driving over sunken manholes, and double steel storm grates on November 30, 2000 at the Marietta Street and Howell Mill Road Junction** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/10/01  
CHAIR: C.T. Martin

[Signature]  
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ADOPTED BY

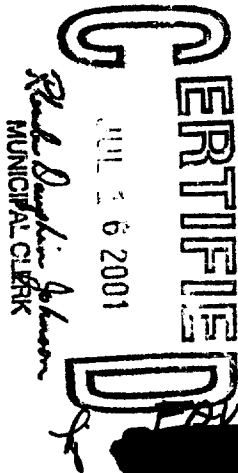
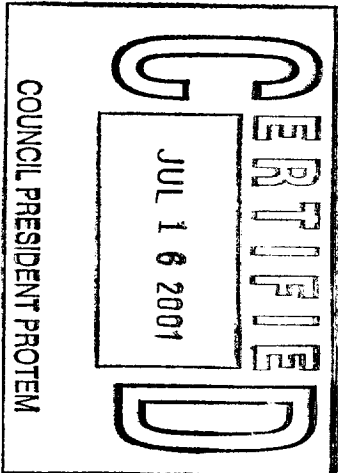
JUL 16 2001

COUNCIL

APPROVED

JUL 25 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**01-R-1028**

**A RESOLUTION**

**BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to RONALD BRUCATO the sum of \$882.99 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of driving over sunken manholes, and double steel storm grates on November 30, 2000 at the Marietta Street and Howell Mill Road Junction as is more particularly set forth in the within claim; said sum taken from and charged to account 2JO1/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

JUL 16, 2001

JUL 25, 2001

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0758

Date: 6/25/01

Claimant /Victim RONALD BRUCATO

BY: (Atty) \_\_\_\_\_

Address: 1101 Collier Road, NW # E-3 Atlanta, Georgia 30318

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 882.99 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 12/26/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/20/00 Place: Marietta Street and Howell Mill Road Junction

Department Public Works Division: Sewer Operations

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** The claimant sustained vehicular damages when he drove his vehicle over several sunken manhole covers, and double steel storm grates in the road. In an investigation it was determined that the same road hazards existed at this location for an extended period of time, the City has taken action to correct these defects.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Other \_\_\_\_\_ Written X Oral X

Pictures X Diagrams X Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

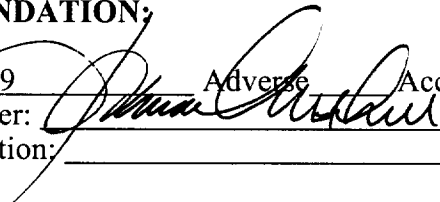
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

### RECOMMENDATION:

Pay \$ 882.99 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 06-26-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 2995  
7/16/01  
2:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 16

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

B McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA

01-O-0992 01-R-1108  
01-O-0710 01-R-1041  
01-O-0711 01-R-1042  
01-O-1089 01-R-1043  
01-O-0995 01-R-1065

CONSENT

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 01-O-1091
2. 01-O-0722
3. 01-O-0855
4. 01-O-0890
5. 01-O-0891
6. 01-O-0980
7. 01-O-0924
8. 01-O-1086
9. 01-O-1090
10. 01-O-0731
11. 01-O-0917
12. 01-R-1013
13. 01-R-1014
14. 01-R-1015
15. 01-R-1016
16. 01-R-1007
17. 01-R-1009
18. 01-R-1012
19. 01-R-1005
20. 01-R-1006
21. 01-R-1011
22. 01-R-1109
23. 01-R-1017
24. 01-R-1077
25. 01-R-1080
26. 01-R-1019
27. 01-R-1020
28. 01-R-1021
29. 01-R-1022
30. 01-R-1023
31. 01-R-1024
32. 01-R-1025
33. 01-R-1026
34. 01-R-1027
35. 01-R-1028
36. 01-R-1107

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

37. 01-R-1029
38. 01-R-1030
39. 01-R-1031
40. 01-R-1032
41. 01-R-1033
42. 01-R-1034
43. 01-R-1035
44. 01-R-1036
45. 01-R-1037
46. 01-R-1038
47. 01-R-1039
48. 01-R-1040
49. 01-R-1044
50. 01-R-1045
51. 01-R-1046
52. 01-R-1047
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67. 01-R-1062
68. 01-R-1063
69. 01-R-1064
70. 01-R-1066
71. 01-R-1067
72. 01-R-1068

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

73. 01-R-1069
  74. 01-R-1070
  75. 01-R-1071
  76. 01-R-1072
  77. 01-R-1073
  78. 01-R-1104
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